

REMARKS/ARGUMENTS

Claims 1-20 are pending in the application.

Claims 1, 4, 8, 10, 12-14, and 16-19 are hereby amended.

Claims 4 and 12 are amended to incorporate all of the limitations of the respective base claims; the examiner stated that these claims would be allowable if so rewritten.

1. Claim 1 was rejected under 35 USC 112, second paragraph. Applicant's amendment clarifies the antecedent.

2. Claims 1-3, 5-11, and 13-20 were rejected under 35 USC 102(e) as anticipated by Abrol.

As discussed in prior communications in the application, Abrol describes only an "enhanced radio link protocol (RLP)". In the RLP, radio link protocol frames are transmitted over wireless channels. The "frames" are a formatting construct specifically for radio communications. These frames are merely formats for transmissions over the radio link. Thus, the RLP enhancements described by Abrol regard the air interface and loss of frames over the air interface.

Applicant's amended independent claims 1, 16 and 18 each point out that the data payload described in the claims is composed of multiple data packets. The data payload corresponds to a distinct data type or element of a greater amount of data information that is communicated (as discussed in the Application, p. 7, lines 20, *et seq.*). The entire data information communicated is composed of pluralities of particular distinct data types of elements, and each is segregatable for transmission as respective distinct payloads. Each of the payloads is assigned a respective unique specify global sequence number for payload. The global sequence numbers are communicated with the respective payloads, and the receiver can determine if any payloads are not received by assessing the sequence that is received.

Abrol operates in the physical layer/data link layer to solely assure/ascertain desired air communications of all frames – i.e., the Abrol “frames” are each separately formatted packet of data that is transmitted. The frames are not themselves a payload comprised of pluralities of packets, as described in the amended claims.

Independent claim 20 is of form previously presented. Abrol operates with frames (i.e., the individual data packets that are separately burst transmitted over radio band). Applicant’s claim regards bytes themselves, not bytes that are formatted as frames. Admittedly, bytes comprise Abrol’s frames. But, it is the frames (not the bytes) that Abrol uses to vary operations. Applicant’s claim distinctly points out that the number of bytes outstanding (not any data packets/frames) are employed for varying the send rate.

3. Claim 18 was rejected under 35 USC 102(e) as anticipated by Birdwell. Applicant’s amended claim 18 provides for compression together of respective headers of several data packets of a payload. Birdwell, instead, describes compression of the header of the particular data packet in order to reduce length of the data packet. As with Abrol, Birdwell operates only at the level of each distinct data packet. Applicant’s amended claim clarifies that it is all of the headers of an entire payload, and that several data packets (not just one) make up the payload.

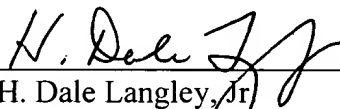
Applicant thanks the examiner for stating that claims 4 and 12 will be allowed as amended hereby.

Applicant respectfully requests withdrawal of the rejections and allowance of all pending claims.

If the Examiner has any questions or comments, the undersigned attorney for Applicant respectfully requests a call to discuss any issues. The Office is authorized to charge any excess fees or to credit any overage to the undersigned's Deposit Account No. 50-1350.

Respectfully submitted,

Date: September 5, 2006



H. Dale Langley, Jr.
Reg. No. 35,927

The Law Firm of H. Dale Langley, Jr.
610 West Lynn
Austin, Texas 78703
Telephone: (512) 477-3830
Facsimile: (512) 477-4080
E-Mail: dlangley@iptechlaw.com